

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CARPENTERS FRINGE BENEFIT)
FUNDS OF ILLINOIS, *et al.*,)
Plaintiffs,) CIVIL ACTION
vs.) NO. 17 C 6523
ALCA, INC., an Illinois corporation,) JUDGE ANDREA R. WOOD
Defendant.)

MOTION FOR ENTRY OF FINAL JUDGMENT

Plaintiffs, by and through their attorneys, judgment having been entered against the Defendant on November 13, 2017, request this Court enter final judgment against Defendant, ALCA, INC. In support of the Motion, Plaintiffs state:

1. On November 13, 2017, this Court entered judgment against Defendant in the amount of \$9,835.16, plus post-judgment interest on said amount at the rate required by 28 U.S.C. §1961. The Court also entered an order directing Defendant to submit its monthly fringe benefit contribution report for September 2017. Finally, the Court also entered an order that final judgment would be entered once Defendant submitted the required monthly fringe benefit contribution reports and Plaintiffs determined the additional amounts due and owing from Defendant.

2. On November 13, 2017, Plaintiffs' counsel wrote to Defendant enclosing a copy of the Judgment Order entered on November 13, 2017 and requesting Defendant submit its monthly fringe benefit contribution report for September 2017 within seven (7) days.

3. On or about November 27, 2017, Plaintiffs' counsel was notified that Defendant submitted its monthly fringe benefit contribution reports for September 2017 and October 2017, without payment of the fringe benefit contributions and liquidated damages due thereon.

4. Defendant submitted monthly fringe benefit contribution reports to the Plaintiffs identifying employees of the Defendant who performed work covered by the collective bargaining agreement, and the number of hours worked by or paid to those employees for the months of March 2017 through October 2017. Said monthly contribution reports establish that Defendant owes the Plaintiffs the amount of \$14,653.36 for contributions and \$1,465.34 for liquidated damages, for a total of \$16,118.70.

6. That pursuant to the Trust Agreements, a liquidated damages surcharge has been assessed against the Defendant in the amount of one and one-half (1.5%) percent of the total contributions untimely received, compounded monthly at one and one-half (1.5%) percent, for the period accrued through October 31, 2017, in the total amount of \$1,073.78.

7. On or about September 29, 2017, Defendant submitted a partial payment of \$5,007.69 towards amounts due and owing.

8. In addition, Plaintiffs' firm has expended \$440.00 in costs and \$1,237.50 in attorneys' fees, for a total of \$1,677.50, in this matter. (See Affidavit of Catherine M. Chapman).

9. Based upon the documents attached hereto, Plaintiffs request entry of final judgment in the total amount of \$13,862.29.

WHEREFORE, Plaintiffs respectfully request this Court to enter final judgment in the amount of \$13,862.29.

/s/ Cecilia M. Scanlon

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Final Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 5th day of December 2017:

Illinois Corporation Service Corp.,
Registered Agent for Alca, Inc.
801 Adlai Stevenson Drive
Springfield, IL 62703

Mr. David C. Pasquinelli, President
Alca, Inc.
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/s/ Cecilia M. Scanlon

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